

Running Creek Ranch
45400 CR 21
Elizabeth, CO. 80107
303/ 646 - 5650

March 31, 2003

Chief, Standardization Branch
Livestock and Seed Program
AMS, USDA, Room 2603-S, Stop 0254
1400 Independence Avenue, SW
Washington, DC 20250-0254

I am writing in opposition to the proposed regulations regarding the labeling and marketing claims of fresh meat. The proposed labeling and marketing claims standards cover all aspects of branded products, including antibiotic claims. The proposed regulations would allow three types of antibiotic claims to be made.

1. *No antibiotics used, or Raised without antibiotics. -Livestock have never received antibiotics from birth to harvest.*

As a producer and marketer of all-natural cattle, I meet and exceed strict standards for raising cattle without antibiotics and growth hormones as dictated by the Food Safety and Inspection Service (FSIS). I believe that operations such as mine and the beef industry in total is better served by the distinction of all-natural cattle and meat products versus "commodity cattle." Clearly, the American consumer deserves and desires this choice of products at the retail level. Branded beef programs that have proven successful in garnering approval from the American Heart Association for example, deserve to be rewarded for their efforts in providing a superior nutritional product. Product claims should be held to the current strict, exacting standards.

2. *No subtherapeutic antibiotics added, or Not fed antibiotics. -Livestock are not fed subtherapeutic levels of antibiotics. They may receive treatment for illness provided the approved FDA withdrawal period is observed.*

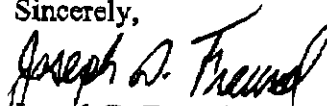
I do not agree with this claim, as it clearly creates confusion for consumers. Attempting to distinguish between "No antibiotics used" and "No subtherapeutic antibiotics added" is contradictory from a purchasing consumers point of view. This regulation would allow commodity beef to be labeled and marketed in the same fashion without being held to the same exacting specifications as my all-natural beef.

3. *No detectable antibiotic residue (analyzed by "method x"). Livestock may receive antibiotics during the production phase.*

I do not agree with this claim. Advertising residue testing is deceptive and will surely confuse the consumer. Consumers deserve labeling that is clear and meaningful. Since all producers must not exceed residue levels, can't anyone make a "no residue" claim? If USDA weakens the rules, a literal flood of "no residue" labels will reach unsuspecting consumers who believe, mistakenly, that they are buying meat that comes from cattle that are raised without antibiotics and growth hormones. Over a period of time, consumers will likely be unable to differentiate between these claims, leading to the USDA

regulating my meticulous raising practices out of existence. That does not serve consumers and would be injurious to many producers such as myself who are willing to commit to a rigorous management program in order to obtain USDA approval for product claims. I encourage AMS to maintain the current strict standards and not "muddy the waters" by allowing residue claims on the label.

Sincerely,



Joseph D. Freund

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